



SO ORDERED.

SIGNED this 19th day of December, 2019

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.**

Suzanne H. Bauknight

Suzanne H. Bauknight

UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF TENNESSEE**

In re

ROBERT EDWARD WALLEN
MISTY DAWN WALLEN

Case No. 3:18-bk-30667-SHB
Chapter 7

Debtors

ORDER

On December 19, 2019, the Court held a hearing on the Motion for Contempt for Violations of the Automatic Stay and/or Discharge Injunction Against Morristown Tire and Performance Center, LLC (“Motion for Contempt”) filed by Debtors on November 25, 2019 [Doc. 38], asking the Court to find Morristown Tire and Performance Center, LLC in contempt for willfully violating the automatic stay provisions of 11 U.S.C. § 362(a) and/or the discharge injunction provided by 11 U.S.C. § 524(a) and to award actual damages, including attorneys’ fees, and punitive damages pursuant to 11 U.S.C. §§ 105(a) and 362(k). No representative of Morristown Tire and Performance, LLC appeared at the December 19 hearing.

For cause shown, the Court directs the following:

1. The Motion for Contempt is GRANTED. Morristown Tire and Performance Center, LLC is in contempt for attempting to collect a debt against Debtors in willful violation of the automatic stay and with actual knowledge of Debtors' bankruptcy case that was filed on March 9, 2019, and in violation of the discharge injunction following Debtors' discharge entered on June 26, 2019.

2. An evidentiary hearing on damages will be held January 9, 2020, at 1:45 p.m., in Bankruptcy Courtroom 1-C, First Floor, Howard H. Baker, Jr. United States Courthouse, Knoxville, Tennessee.

3. The clerk shall serve a copy of this Order on Morristown Tire and Performance Center, LLC, 720 E. Morris Boulevard, Morristown, Tennessee 37813-2444.

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